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Docket No.: P/61365/BAE

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on:
June 23, 2003
(date)

Alan Israel
Reg. No. 27,564

In re: Application of : Roger Martin LANGDON
Serial No. : 09/601,530 Group Art Unit: 3662
Filed : October 23, 2000 Examiner: I. Lobo
For : IMPROVEMENTS IN OR RELATING TO SOUND
DETECTION

New York, New York
June 23, 2003

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

Sir:

In response to the Official Action dated December 23, 2002, please reconsider the merits of this patent application as follows:

REMARKS

The allowance of claims 61-68 is gratefully acknowledged.

Reconsideration of the rejection of claims 43-44 and 52-53 as being anticipated by U.S. Pat. No. 6,041,020 to Caron in view of U.S. Patent No. 6,037,967 to Allen or U.S. Patent No. 4,645,309 to Harris is respectfully requested.

Caron relates solely to a system using a continuous wave (CW) laser. As acknowledged by the Examiner, there is no disclosure or suggestion of using a pulsed or chopped laser beam as required by the independent claims of the present application and as detailed in the specification, for example, at page 7, line 7.

It is respectfully submitted that the Examiner is incorrect in his assumption that exchanging the CW laser in the sound detection system disclosed in Caron with a pulsed laser system as disclosed in Allen and Harris is obvious. As is clearly discussed in the present specification at pages 2 and 3, there are distinct disadvantages in the field of remote sound detection of using CW lasers, particularly, the inability of the CW laser to provide the spatial resolution required to accurately detect sound remotely (see page 3, line 14 to 18). Although the applicant accepts that the two additional documents cited by the Examiner disclose pulsed laser systems, neither discloses the advantage of improvement in the spatial resolution of a system. Therefore, it is not appropriate to substitute their disclosures into Caron as the disclosures are not pertinent to the applicant's particular problem, namely how to improve spatial resolution in remote sound detection systems.

Furthermore, the field of the applicant's endeavor in this case is NOT lasers but REMOTE SOUND DETECTION, as specifically taught by the title and specific embodiments. Therefore, the applicant believes that Allen and Harris are non-analogous art in the present case. Neither document is relevant to the subject matter field of sound detection and furthermore, neither document discloses the advantage of the improved spatial resolution provided in this case by pulsed

lasers. Accordingly, the applicant cannot accept that these documents are relevant to the present application, where the wave energy savings, smaller size and lower costs of pulsed systems over CW systems are not considered relevant.

For further information, applicant notes that the corresponding UK application has now been granted. The claims granted are the claims currently being rejected by the US Examiner.

Petition is hereby made for a three-month extension of the period to respond to the outstanding Official Action to June 23, 2003. A check in the amount of \$930.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of this response, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.


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